IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE A.GOPAL REDDY
and
THE HON'BLE MR JUSTICE P.SWAROOP REDDY

WRIT PETITION NO : 21349 of 2007

DATE:22.10.2007

Between:

M. Stella

..... PETITIONER

AND

1. The Station House Officer, Old Bowinpally Police Station, Hyderabad and others.

.....RESPONDENTS

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ORAL ORDER: (per Hon'ble Sri Justice A. Gopal Reddy)

This writ petition is taken up on the basis of the telegram, dated 03.10.2007 sent by Ms. M. Stella, sister of the alleged detenu, addressed to the Hon'ble the Chief Justice, alleging that the Police and the land grabbers kidnapped her brother, namely, Ramakrishna about ten days back and his whereabouts are not known. She also furnished Cell phone numbers of Siva Sankar and Venkatnarayana, who allegedly led the gang and continuously torturing her brother over phones.

The learned Government Pleader took notice on behalf of the respondents and produced the statement of the alleged detenu recorded by the Mandal Revenue Officer, Balanagar Mandal on 17.10.2007. The alleged detenue in his statement deposed that he purchased land admeasuring 208 sq. yards situated at Nagaram for Rs.3,00,000/- from the land owner Sri Venkatadri, and sold the same to Mr. Shiva Shankar for Rs.6.75 lakhs. On receiving Rs.5,00,000/-, he executed agreement of sale and handed over the original sale deed to Shiva Shankar, who agreed to pay the balance amount of Rs.1.75 lakhs at the time of registration. On 17.09.2007 the said Shiva Shankar called him over mobile phone and asked him to come to Neredmet X road. Then he went there and found Mr. Shiva Shankar and four others in a Maruthi Zen car. Shiva Shankar took him along with his bike scooty pep and restrained him till the third day. During the said period the said Shiva Shankar compelled him for registration of the said plot on another person's name. When he refused to do so, he developed grudge on him and took him to Kisara Police Station on 19.09.2007 and produced him before Nomula Murali, Circle Inspector of Police, who warned Shiva

Shankar and others to let off him, but they did not allow him to go. On 06.10.2007 morning they released him. On 10.10.2007 he approached the advocate and filed a petition before the Chief Chair Person, Human Rights Commission, A.P., at Nampally, Hyderabad for giving necessary police protection to him. He further stated that he is no way connected to the Police of Bownepally and the Police, Bowenpally have not called him so far.

In view of the above statement recorded by the Mandal Revenue Officer, the allegation that the police along with land grabbers have kidnapped the alleged detenu cannot be accepted.

Accordingly, the Writ Petition is dismissed at the admission stage.

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(A. GOPAL REDDY, J.)

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(P. SWAROOP REDDY, J.)

22nd October, 2007
Js.